
LEAVE TO DONATE BONE MARROW OR ORGANS

APPLICATION: Full-time classified non-probationary employees and "at will" employees

PURPOSE This policy authorizes eligible employees to use up to 30 workdays of paid leave in any calendar year, in addition to other paid leave, to donate bone marrow or organs.

DEFINITIONS

Bone Marrow/Organ Donor Leave Paid leave under this policy provides eligible employees with the period that is medically necessary for donation of bone marrow or an organ and recuperation therefrom for up to 30 days in any calendar year.

Catalog of Federal Domestic Assistance Defines project grants to include fellowships, scholarships, research grants, trainee grants, traineeships, experimental and demonstration grants, evaluation grants, survey grants, construction grants, and unsolicited contractual agreements. (Available at www.cfda.gov.)

Eligible Employee A non-probationary classified employee who presents medical certification supporting his or her intent to donate bone marrow or an organ.

EXCEPTIONS:

- Employees who are on disciplinary suspension are not eligible to participate in this program.
- Restricted employees whose positions are contingent upon project grants as defined in the Catalog of Federal Domestic Assistance may receive paid leave for bone marrow or organ donation only if the funding source has agreed to assume all financial responsibility for this benefit in its written contract with the Commonwealth.

REQUESTING LEAVE Eligible employees must request leave according to agency procedures prior to the effective date of the leave.

Medical certification Employees must submit medical certification to support the use and expected duration of the leave.

Family and Medical Leave Bone Marrow and Organ Donor (BMOD) leave will not be considered Family and Medical Leave (FML).

Virginia Sickness and Because BMOD leave continues employees' full pay, BMOD leave

**Disability Program
(VSDP)**

will not be considered VSDP leave. Therefore, employees who participate in VSDP must not contact CORE regarding BMOD-related absences and will not receive VSDP benefits during periods that are certified for BMOD leave.

**Workers'
Compensation**

If employees are receiving Workers' Compensation (WC) benefits when they decide to donate bone marrow or an organ, the WC benefits will be suspended during the time certified for BMOD leave. When the BMOD period ends, WC benefits will continue, as appropriate.

**RETURN FROM
LEAVE**

Employees returning from BMOD leave will be returned to the positions they held when the leave began.

**EXTENSIONS OF
LEAVE**

If it becomes medically necessary for an employee's BMOD leave to extend beyond the expected duration, up to 30 days in a calendar year, the time will be charged to other appropriate leave balances and may be considered FML (see Policy 4.20, Family and Medical Leave).

VSDP

Employees who participate in VSDP should contact CORE according to program guidelines. In these cases, VSDP eligibility including the applicable waiting period would begin following the 30 days of BMOD leave.

AUTHORITY

The Department of Human Resource Management issues this policy pursuant to the authority provided in Chapter 10, Title 2.1 of the Code of Virginia.

This policy was established pursuant to revisions to the Code of Virginia § 2.1-114.5:03, effective July 1, 2001.

INTERPRETATION

The Director of the Department of Human Resource Management is responsible for official interpretation of this policy, in accordance with section 2.1-114.5(13) of the Code of Virginia. Questions regarding the application of this policy should be directed to the Department of Human Resource Management's Office of Compensation and Policy.

The Department of Human Resource Management reserves the right to revise or eliminate this policy.

RELATED POLICIES

Policy 4.20, Family and Medical Leave

Policy 4.57, Virginia Sickness and Disability Program

Policy 4.60, Workers' Compensation